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SUBJECT: CORRUPTION CASE OPENS UP PARLIAMENT SEAT AND BY-ELECTIONS

¶1. (U) On November 5, the UK Privy Council, which constitutionally is the highest appellate court with authority in Mauritius, unanimously upheld a Mauritius Supreme Court judgment, whereby Member of Parliament (MP) and former Minister of Health, Ashok Kumar Jugnauth, was found guilty of electoral bribery.

¶2. (U) In July 2005, opposing candidate Raj Ringadoo entered an action in court, accusing Jugnauth of facilitating the acquisition of land to develop a Muslim cemetery and giving jobs to 101 health care assistants from his constituency in order to influence their votes in the July 2005 general elections. As a result of being found guilty, Jugnauth will lose his seat in parliament, and a by-election could be held within the next 240 days; however, some political figures and community leaders, like Jean Claude de L'Estrac observed that Prime Minister Ramgoolam could also opt to dissolve the National Assembly on nomination day of the by-election and call for general elections instead, effectively moving up the general elections to 2009 from 2010.

¶3. (U) In his November 10 meeting with Parliament, however, Prime Minister Ramgoolam said that no general elections will be held next year and that by-elections to fill Jugnauth's seat will not be held until "organizational issues" are addressed. Ramgoolam also took this opportunity to mention resuming discussions on electoral reform in Mauritius in light of the Privy Council recommendations for a Code of Conduct for Cabinet Ministers, civil servants and others in pre-election season.

¶4. (U) On a private radio program aired on November 6, the President of Transparency International (Mauritius), Jacques de Navacelle, welcomed the Privy Council judgment and added that the Code of Ethics will help rid the political system of "clientelism" and corruption. In a political move during a press conference held on November 5, Prime Minister Navin Ramgoolam said that both the local Supreme Court and the Privy Council's judgments prove him right in denouncing the abuse of power of the previous government.

¶5. (U) According to local press, Ashock Jugnauth has announced that despite losing his case he will still run in a newly organized by-election. Given this, the three main parties are planning their next move. The Mouvement Socialiste Mauricien (MSM) party is rumored to want to run their leader, Pravind Jugnauth, as a candidate, while the Mouvement Militant Mauricien (MMM) must decide on whether to back a traditional ally, Ashock Jugnauth, or look to solidify the MSM-MMM alliance by brokering a deal with Pravind Jugnauth. It is believed that the Prime Minister's ruling Labor Party will keep its options open to keep the other parties guessing its next move.

¶6. (SBU) COMMENT. Past by-elections have been used as a venue to punish the ruling government for unpopular measures, Post believes that Ramgoolam could hold the by-elections as early as December, i.e. shortly after the release of December's mini-budget. This judgment will also force candidates to be more careful regarding political bribery, so the typical political campaign culture may look different. Post believes that these by-elections will send a strong signal about the alliances for the subsequent 2010 general

elections. END COMMENT.

CABRERA